



Response under 37 C.F.R. § 1.116
Expedited Procedure
Examining Group 2652
PATENT

ATTORNEY DOCKET NO.: 041514-5189

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) **BOX AF**
Tomohiro **MIZUNO** *et al.*) Confirmation No.: 1964
Application No. 09/656,953) Group Art Unit: 2652
Filed: September 7, 2000) Examiner: D.C. Nguyen
For: **DISK PLAYER**)

Commissioner for Patents
Washington, D.C. 20231

Sir:

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AMENDMENT UNDER 37 C.F.R. § 1.116

In response to the Final Office Action dated October 23, 2002 (Paper No. 8), and pursuant to 37 C.F.R. § 1.116, the period for response extending through January 23, 2003, entry of the following amendments is respectfully requested to place the application in clear condition for allowance or, alternatively, in better form for appeal:

IN THE CLAIMS:

Please amend claims 1 and 2 as follows:

b' 1. (Twice Amended) A disk player for holding a plurality of disks at a disk standby area in a casing, so that a disk selected from said plurality of disks may be transferred to a disk playing area in said casing and may be reproduced, comprising:

a plurality of disk trays, which are stacked in a predetermined direction, respectively keeping one of said plurality of disks thereon;



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AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment responding to the Final Office Action dated October 23, 2002 (Paper No. 8), the time period for response to which runs through January 23, 2003.
2. Additional papers enclosed:
 - ☐ Substitute Abstract of the Disclosure
 - ☐ Information Disclosure Statement
 - ☐ Form PTO-1449, ____ references included
 - ☐ Citations
 - ☐ Declaration of Biological Deposit
 - ☐ Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☒ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.
- ☐ Applicants petition for an extension of time, the fees for which are set out in 37 CFR § 1.17(a), for the total number of months checked below:

Total Months Requested	Fee for Extension	Extension Fee for Small Entity
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 410.00	\$205.00
<input type="checkbox"/> three months	\$ 930.00	\$465.00
<input type="checkbox"/> four months	\$1,450.00	\$725.00

No extension of time fee is being submitted with this request.

If an additional extension of time is required, please consider this a Petition therefore.

- ☐ An extension for ____ months has already been secured and the fee paid therefore of \$ ____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this Application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	4	Minus	20	0	x \$18 ea. =	+ \$0
Independent Claims (37 C.F.R. §1.16(b))	1	Minus	3	0	x \$84 ea. =	+ \$0
<input type="checkbox"/> First Presentation of Multiple Dependent Claim(s)					\$280.00	+ \$0
SUBTOTAL =						\$0
Reduction by 1/2 for Filing by a Small Entity -						\$
TOTAL FEE =						\$0

6. Fee Payment

☐ The Commissioner is hereby authorized to charge the amount of \$_____, representing \$_____ for the additional claims fees and \$_____ for _____ fee to Deposit Account No. 50-0310.

No fees are being paid at this time.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 CFR §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,
MORGAN, LEWIS & BOCKIUS LLP

By: Paul A. Fournier
Paul A. Fournier
Reg. No. 41,023

Dated: January 23, 2003

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